

Message Text

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FM AMEMBASSY BONN

TO SECSTATE WASHDC IMMEDIATE 0180

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C O N F I D E N T I A L SECTION 01 OF 04 BONN 08037

E.O. 11652: GDS

TAGS: PFOR, US, UK, FR, GW, WB, NATO

SUBJECT: 1975 SPRING QUADRIpartite MEETING

REFS: (A) BONN 8034; (B) BONN 7807

BEGIN SUMMARY: TRANSMITTED BELOW IS TEXT OF PAPER
AGREED AD REF IN BONN GROUP MAY 16 AS DISCUSSION PAPER
FOR QUADRIpartite MEETING. AS NOTED REF A, THIS
EXPANDS ON THE "ANNOTATED AGENDA..AND IS KEYED TO THE
AGENDA TRANSMITTED REF A. UK REP THOUGHT THIS
PARTICULAR DOCUMENT WOULD NOT BE READ BY CALLAGHAN; OTHER
REPS THOUGHT IT LIKELY THAT IT WOULD AT LEAST BE PUT IN
MINISTERS' BRIEFING BOOKS. THERE IS NO TEXT FOR ITEM
6 OF AGENDA (INNER GERMAN RELATIONS AND FRG RELATIONS
WITH EASTERN EUROPE). ITEM IS ON AGENDA BECAUSE FRENCH
REP UNDERSTANDS SAUVAGNARGUES WILL ASK GENSCHER TO
COMMENT ON IT; IT WAS AGREED, HOWEVER, THAT THERE WAS
NO ADVANCE TEXT FRG MIGHT USEFULLY PROVIDE TO
SUPPLEMENT PERIODIC BRIEFINGS IN BONN GROUP AND STATUS
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REPORT IN FRG PAPER TRANSMITTED REF (B).

END SUMMARY

1. BEGIN TEXT

I. THE LAST SIX MONTHS: TRENDS IN SOVIET POLICY ON
BERLIN

THE "BERLIN AND GERMAN" POLICY OF THE USSR AND ITS ALLIES, WITHOUT HAVING PROFOUNDLY CHANGED SINCE DECEMBER 1974, HAS BECOME MORE VIGOROUS. THE USSR CONTINUES TO SEEK TO HAVE A RESTRICTIVE INTERPRETATION OF THE QUADRIpartite AGREEMENT PREVAIL. THE PROVISION OF THE QA ACCORDING TO WHICH "THE WESTERN SECTORS CONTINUE NOT TO BE A CONSTITUENT PART OF THE FRG AND NOT TO BE GOVERNED BY IT" CONSTITUTES, ACCORDING TO SOVIET POLICY, THE CENTER OF THE SYSTEM CREATED BY THE QUADRIpartite AGREEMENT, TO WHICH ALL OTHER CLAUSES OF THE AGREEMENT MUST BE SUBORDINATED. AT THE SAME TIME, MOSCOW INSISTS THAT THE "TIES" PROVISION OF THE QUADRIpartite AGREEMENT BE INTERPRETED IN THE MOST NARROW WAY. THE APPLICATION OF SECTION B OF PART II OF THE AGREEMENT ("PROVISIONS RELATING TO THE WESTERN SECTORS OF BERLIN") THUS CONSTITUTES ABOVE ALL ELSE THE AREA OF THE MOST IMPORTANT SOVIET ATTACKS AND REMAINS THE QUESTION WHICH CAN, IN THE FUTURE, CREATE THE MOST SERIOUS DIFFICULTIES WITH THE USSR. NO DIFFICULTIES SIMILAR TO THAT WITH RESPECT TO THE FEDERAL ENVIRONMENTAL AGENCY HAVE OCCURRED SINCE THE LAST QUADRIpartite DINNER, BUT THE VIGILANCE OF THE SOVIETS IN THIS AREA IS WORTHY OF NOTE.

THE INTERPRETATION OF THE RESERVATIONS TOUCHING ON "MATTERS OF SECURITY AND STATUS" HAS BEEN AT THE CENTER OF THE DISPUTES TIED TO THE REPRESENTATION ABROAD OF THE WESTERN SECTORS. BUT THE ATTACKS OF THE SOVIET UNION AND ITS ALLIES HAVE, DURING THE LAST MONTHS, TAKEN ON NEW DIMENSIONS: THEY CLAIM THAT THERE ARE CONDITIONS FOR EXTENSION TO WEST BERLIN OF INTERNATIONAL AGREEMENTS ENTERED INTO BY THE FRG WHICH ARE NOT REFERRED TO IN THE QUADRIpartite AGREEMENT (E.G., A "RELEVANCE TEST"); THE EASTERN STATES, AND PARTICULARLY THE GDR, HAVE SOUGHT TO IMPOSE A BROAD CONCEPT OF "MATTERS OF SECURITY AND STATUS"; THE SOVIETS HAVE

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OPENED, WITH RESPECT TO THE POSITION OF BERLIN VIS-A-VIS THE EC, AN IMPORTANT DISPUTE; AND FINALLY, THE USSR HAS MADE GREAT EFFORTS TO INTERNATIONALIZE AND TO

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CARRY BEFORE INTERNATIONAL ORGANIZATIONS RIVALRIES
WHICH HAVE UNTIL NOW BEEN "QUADRIpartite."

THE USSR IS ALSO CLAIMING A VOICE IN ALL AFFAIRS
REGARDING WEST BERLIN. THE SOVIETS PUSH WHEN TALKING
WITH ALLIED REPRESENTATIVES THE DESIRABILITY OF CON-
SULTATIONS PRIOR TO WESTERN DECISIONS REGARDING BERLIN,
AND IN CONTACTS WITH FRG REPRESENTATIVES ASSERT A
RIGHT UNDER THE QUADRIpartite AGREEMENT TO PARTICIPATE
IN SUCH DECISIONS.

THE ANALYSIS CONFIRMS THAT MOSCOW HAS NOT ABAN-
DONED ITS AIM OF TRANSFORMING BERLIN INTO AN "INDEPEN-
DENT POLITICAL ENTITY." THE RUSSIANS HAVE STOPPED
SHORT OF SEEKING TO ACHIEVE THIS GOAL DIRECTLY, BUT
PURSUE THE TACTIC OF ACHIEVING IT INDIRECTLY. TO THIS
END THEY HAVE EXPLOITED THE NEW AREAS WHICH ARE OPEN TO
THEM, SUCH AS THE INTERNATIONAL FORA, THE
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RELATIONS OF THE GDR WITH THIRD COUNTRIES, AND THE BILATERAL FRG-GDR AND FRG-USSR NEGOTIATIONS. IN THESE NEGOTIATIONS, THE EASTERN SIDE ATTEMPTS TO PRESSURE THE FRG INTO MAKING CONCESSIONS IN PRINCIPLE WHEREVER BONN HAS A REAL INTEREST IN BRINGING THE NEGOTIATIONS TO COMPLETION.

II. THE NEXT SIX MONTHS: POSSIBLE DEVELOPMENTS AND FUTURE PROBLEMS

(L) BERLIN AND DETENTE

BERLIN REMAINS AN IMPORTANT ELEMENT IN THE PROCESS OF DETENTE IN EUROPE; AT THE SAME TIME, BERLIN IS A BENEFICIARY OF DETENTE. FOR THE POST-CSCE PERIOD AS WELL, IT SEEMS LIKELY THAT BROADER SOVIET INTERESTS IN PURSUING DETENTE WILL PREVENT ANY FUNDAMENTAL SOVIET POLICY SHIFT WITH RESPECT TO BERLIN. NONETHELESS, IT IS PRUDENT TO CONSIDER THE POSSIBILITY THAT CURRENT SOVIET ACTIONS AND POLICIES VIS-A-VIS BERLIN, AS DESCRIBED IN THE FOREGOING SECTION, ARE INTENDED AS THE PREDICATE FOR EMBARKING ON A HARDER LINE ONCE THE CSCE PROCESS IS OUT OF THE WAY.

A SOVIET POLICY SHIFT WOULD PRESUMABLY BE FELT MOST DIRECTLY IN THE AREA OF TIES BETWEEN THE FRG AND BERLIN AND MIGHT BE MANIFESTED BY AN EVEN HARDER POSITION IN NEGOTIATIONS BETWEEN THE FRG AND THE EASTERN COUNTRIES, BY THE PURSUIT OF OPEN CONFRONTATION IN INTERNATIONAL FORA, OR BY INTERFERENCE WITH THE ACCESS ROUTES. ONE OF THE SOVIET OBJECTIVES IN THIS PROCESS COULD BE TO INDUCE OR OBLIGE THE THREE POWERS TO INVOKE THE CONSULTATIONS CLAUSE OF THE FINAL QUADRIPARTITE PROTOCOL, THUS PUTTING THEM IN THE POSITION OF DEMANDEURS.

(2) BERLIN AND THE EUROPEAN COMMUNITY

SOVIET PROTESTS AGAINST LOCATION IN BERLIN OF THE EUROPEAN VOCATIONAL TRAINING CENTER CONSTITUTE ADVANCE SIGNS OF DIFFICULTIES WHICH COULD CROP UP IN THE NEXT MONTHS WITH RESPECT TO COMMUNITY ACTIVITIES (E.G., APPLICATION IN BERLIN OF CERTAIN AGREEMENTS CONCLUDED

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BY THE EC AND REGULATIONS ISSUED BY THE EC COUNCIL OF MINISTERS; EUROPEAN PASSPORT UNION; ELECTION OF A EUROPEAN PARLIAMENT ON THE BASIS OF UNIVERSAL SUFFRAGE; AND EVENTUAL FURTHER DEVELOPMENT IN CERTAIN COMMUNITY

POLICIES). THE AIM OF THE ALLIES SHOULD BE TWO-FOLD. ON THE ONE HAND, BERLIN AND ITS INHABITANTS SHOULD PARTICIPATE AS FULLY AS POSSIBLE IN THE ACTIVITIES OF THE COMMUNITY. THIS IMPLIES IN PARTICULAR THAT BERLIN WOULD BE AS FAR AS POSSIBLE ASSOCIATED IN THE DEVELOPMENT OF THE COMMUNITY. ON THE OTHER HAND, THE ALLIES MUST AVOID BEING CONFRONTED BY COMMUNITY "FAIT ACCOMPLISH WHICH COULD OBLIGE THEM TO PROHIBIT THE APPLICATION TO BERLIN OF DECISIONS WHICH WOULD NOT BE COMPATIBLE WITH THE STATUS OF BERLIN. THE ALLIES SHOULD THEREFORE BE IN A POSITION TO STUDY IN ADVANCE PROPOSALS FOR DECISIONS OR REGULATIONS WHOSE APPLICATION MIGHT CREATE PROBLEMS AND, WHERE NECESSARY, BE PREPARED TO INTERVENE INDIRECTLY IN THE PROCESS OF ELABORATING THESE PROPOSALS.

THE ABOVE DOES NOT IMPLY A NEED TO INTRODUCE ENTIRELY NEW PROCEDURES IN BERLIN. THE ALLIES AND THE FRG SHOULD RESOLVE IN A TIMELY WAY THROUGH THEIR NORMAL CONSULTATION THOSE PROBLEMS WHICH IT WOULD BE NEITHER IN THE INTERESTS OF THE FEDERAL REPUBLIC NOR OF THE

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THREE POWERS TO HAVE TO RESOLVE POST FACTO.

(3) POSSIBLE QUADRIpartite CONSULTATIONS

IF THE SOVIET GOVERNMENT SEEKS FORMAL CONSULTATIONS UNDER THE TERMS OF THE FINAL QUADRIpartite PROTOCOL THE THREE POWERS WOULD HAVE NO OPTION BUT TO AGREE. IT IS ALSO POSSIBLE THAT THE SOVIET GOVERNMENT MIGHT SEEK QUADRIpartite TALKS ON AN INFORMAL BASIS EITHER (A) WITH A VIEW TO A GENERAL DISCUSSION OF THE APPLICATION OF THE QA OR OF QUESTIONS OF ITS INTERPRETATION, OR (B) IN ORDER TO DISCUSS SOME SPECIFIC INCIDENT OR DEVELOPMENT IN CONNECTION WITH BERLIN.

IN CASE (A) THERE IS GENERAL AGREEMENT THAT THE ALLIES WOULD HAVE NOTHING TO GAIN BY ENTERING INTO CONSULTATION. AS FOR CASE (B) THERE ARE DIFFERENT VIEWS WHETHER IT MIGHT BE APPROPRIATE IN CERTAIN CONFIDENTIAL

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CIRCUMSTANCES TO ACCEPT A SOVIET SUGGESTION OF INFORMAL CONSULTATIONS; ARGUMENTS FOR DOING SO INCLUDE THE FOLLOWING:

(A) SHOULD TENSIONS BEGIN TO BUILD UP IN CONNECTION WITH SOME FUTURE EVENT, AS OCCURRED WITH THE ESTABLISHMENT OF THE FEDERAL ENVIRONMENTAL AGENCY, CONSULTATIONS MIGHT SERVE TO DEFUSE THE SITUATION AND PREVENT FURTHER ESCALATION;

(B) IF IT APPEARED THAT FOUR POWER CONSULTATIONS WERE INEVITABLE, IT WOULD BE PREFERABLE TO KEEP THEM INFORMAL RATHER THAN WAITING FOR THE SOVIETS TO CALL FOR FORMAL CONSULTATIONS UNDER THE FQP OR FOR A SITUATION TO DEVELOP IN WHICH THE ALLIES WERE OBLIGED TO DO SO.

ARGUING AGAINST RESPONDING POSITIVELY TO ANY SOVIET SUGGESTION FOR NON-FQP TALKS ARE THE FOLLOWING:

(A) IMPLICIT IN ALL SUCH SUGGESTIONS IS AN ALLEGATION THAT THE WESTERN SIDE HAS VIOLATED THE QA; AGREEING TO INFORMAL CONSULTATIONS COULD THUS HAVE THE DISADVANTAGE OF PERMITTING MOSCOW TO CLAIM THAT THE WEST HAD ADMITTED BEING IN THE WRONG.

(B) CONSULTATIONS ON A PARTICULAR INCIDENT WOULD INEVITABLY LEAD TO A DISCUSSION OF THE INTERPRETATION OF THE QA. IT IS HIGHLY UNLIKELY THAT SUCH TALKS COULD RESOLVE ANY OF THE DISPUTED POINTS THAT ARE LEFT IMPRECISE IN THE QA, OR THAT THE WEST COULD OBTAIN COUNTERBALANCING CONCESSIONS FOR ANY MORE PRECISE DEFINITION OF DISPUTED TERMS SUCH AS "EXISTING SITUATION" AND "DEVELOPMENT OF TIES." THERE WOULD THUS BE A DANGER OF EROSION OF THE WESTERN POSITION. THE ALTERNATIVE WOULD BE A PUBLIC BREAKDOWN WHICH WOULD SPOTLIGHT EAST-WEST DIFFERENCES ON BERLIN.

(C) MOSCOW WOULD SEE WESTERN AGREEMENT TO ENTER INTO DISCUSSIONS AS CONFIRMATION OF ITS CLAIM TO A RIGHT TO BE CONSULTED ON MATTERS AFFECTING WEST BERLIN.
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THE FRENCH DELEGATION IN THE BONN GROUP, WITHOUT FAILING TO RECOGNIZE THE RISKS OF INFORMAL CONSULTATIONS, BELIEVES THAT THE ALLIED RESPONSE TO ANY EVENTUAL SOVIET OVERTURES SHOULD DEPEND ON THE SITUATION AT THE TIME, AND THE ANALYSIS THAT ONE MAKES OF IT. THIS DELEGATION BELIEVES THAT SUCH CONSULTATIONS COULD, IN CERTAIN CASES, BE THE LEAST UNDESIRABLE OF ALL THE AVAILABLE SOLUTIONS AND WOULD PERMIT THE ALLIES TO AVOID, AT LEAST TEMPORARILY, FORMAL CONSULTATIONS AND COULD HAVE THE ADVANTAGE OF PREVENTING POSSIBLE RUSSIAN INITIATIVES TO "RAISE THE STAKES." THE OTHER THREE DELEGATIONS IN THE BONN GROUP, WHILE ACKNOWLEDGING THAT CIRCUMSTANCES MAY PLAY A ROLE, FIND IT DIFFICULT TO IMAGINE ANY CIRCUMSTANCES IN WHICH THE WESTERN SIDE WOULD CLEARLY BENEFIT FROM SUCH TALKS. THESE THREE DELEGATIONS, THEREFORE, ARE OF THE VIEW THAT SOVIET SUGGESTIONS FOR INFORMAL CONSULTATIONS ON BERLIN SHOULD, IN PRINCIPLE, BE TURNED ASIDE.

(4) TIES BETWEEN FRG AND BERLIN

AS AN ESSENTIAL CONTRIBUTION TO THE CONTINUED VIABILITY OF THE CITY, THE FEDERAL REPUBLIC WILL CONTINUE TO FURTHER BERLIN'S TIES TO THE FEDERATION, ABOVE

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ALL WITH RESPECT TO INCLUSION OF THE CITY IN ITS
LEGAL, ECONOMIC, AND FINANCIAL SYSTEM; THE TIES ARE
ALSO OF FUNDAMENTAL IMPORTANCE WITH RESPECT TO PUBLIC
OPINION IN THE CITY. IN THE REALIZATION OF THIS
OBJECTIVE THE FEDERAL GOVERNMENT WILL BE
GUIDED NOT ONLY BY LEGAL CONSIDERATIONS BUT ALSO
BY CONSIDERATIONS OF POLITICAL OPPORTUNENESS. AS IN
THE PAST, THESE CONSIDERATIONS WILL BE WEIGHED IN
APPROPRIATE ALLIED-FRG CONSULTATIONS.

(5) REPRESENTATION OF WEST BERLIN ABROAD

THE SOVIET UNION AND ITS ALLIES WILL PROBABLY MAIN-
TAIN THEIR PRESSURE IN THIS FIELD, EITHER TO
EXERT PRESSURE ON THE FRG WHENEVER POSSIBLE TO INDUCE
BONN TO CONCEDE ITS LEGAL POSITION ON THIS SUBJECT OR
TO INDICATE THEIR OWN LEGAL POSITION WHEN THEY CANNOT
INTERVENE DIRECTLY. THE THREE POWERS MUST CONTINUE
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FIRMLY TO REJECT ANY USSR PROTESTS ALLEGING NON-RESPECT OF "CONDITIONS" WHICH HAVE BEEN SET OUT IN QUADRIpartite AGREEMENTS. LIKEWISE, THEY MUST AVOID PERMITTING THE CREATION OF A NEW BROADER CONCEPT OF "MATTERS OF SECURITY AND STATUS." THEY MUST ALSO CONTINUE TO INSURE THAT TREATIES ARE NOT EXTENDED TO BERLIN WHICH WOULD AFFECT THEIR RIGHTS AND RESPONSIBILITIES. THE FRG FOR ITS PART SHOULD DEFEND, WITH ALLIED SUPPORT IF DESIRED, ITS RIGHT TO REPRESENT THE INTERESTS OF THE WESTERN SECTORS AND SHOULD OPPOSE THE CLAIMS OF THE GDR TO NEGOTIATE ONLY WITH THE SENAT ON MATTERS ALLEGED BY EAST BERLIN TO AFFECT ,SECURITY AND STATUS."

(6) INNER GERMAN RELATIONS AND FRG RELATIONS WITH EASTERN EUROPE.

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